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Our File N^o
12682

In the United States Bankruptcy Court
for the Northern District of Texas
FORT WORTH DIVISION

In re:

TERRENCE ALBRIGHT
LAKIYA YOLANDA CUNIGAN
1020 WINDSOR DRIVE
SAGINAW, TX 76179

xxx-xx-7364

xxx-xx-4448

Debtors

Case No.

17-44686-RFN

Chapter 13

**MOTION TO SEVER CASE AND ASSIGN
NEW CASE NUMBER TO SEVERED DEBTOR**

TO THE HONORABLE RUSSELL F. NELMS, BANKRUPTCY JUDGE:

TERRENCE ALBRIGHT and LAKIYA YOLANDA CUNIGAN, Debtors, make and file this *Motion to Sever Case and Assign New Case Number to Severed Debtor* and, in support hereof, would respectfully show this honorable Court as follows:

1. Debtors commenced the above-referenced **Chapter 13** proceeding on **November 14, 2017**.
2. Debtors wish to sever their Chapter 13 Case, allowing Debtor **TERRENCE ALBRIGHT** to continue as a Debtor in the instant case numbered **17-44686-RFN** and creating a new case with a new case number for Debtor **LAKIYA YOLANDA CUNIGAN**, which the severed debtor intends to convert to a case under chapter 7.
3. This motion is not brought for delay, but that justice may be done.
4. **NOTICE TO PARTIES IN INTEREST: ANY OBJECTION OR REQUEST FOR HEARING MUST BE FILED WITH:**

United States Bankruptcy Clerk
Northern District of Texas
Fort Worth Division
501 W. Tenth Street
Fort Worth, Texas 76102

UNLESS A WRITTEN OBJECTION OR REQUEST FOR HEARING IS FILED

WITH THE WITHIN TWENTY-ONE (21) DAYS, INCLUSIVE OF MAILING TIME, FROM THE DATE SHOWN IN THE CERTIFICATE OF SERVICE HEREIN, THIS *MOTION TO SEVER CASE AND ASSIGN NEW CASE NUMBER TO SEVERED DEBTOR* SHALL BE DEEMED TO BE UNOPPOSED AND THE COURT MAY ENTER AN ORDER WITHOUT A HEARING, AT THE END OF TWENTY-ONE (21) DAYS, REFLECTING THAT THIS *MOTION TO SEVER CASE AND ASSIGN NEW CASE NUMBER TO SEVERED DEBTOR* HAS BEEN GRANTED.

WHEREFORE, Debtors pray the *Motion to Sever Case and Assign New Case Number to Severed Debtor* be, in all things, granted. Debtors pray for general relief.

Respectfully submitted,

PATRICK D. WEST LAW FIRM, P.C.

/s/ Patrick D. West

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Attorney for Debtor(s)
**TERRENCE ALBRIGHT and
LAKIYA YOLANDA CUNIGAN**

CERTIFICATE OF SERVICE

THE UNDERSIGNED HEREBY CERTIFIES that a true and correct copy of the foregoing *Motion to Sever Case and Assign New Case Number to Severed Debtor* was served electronically on the date it was filed on all interested parties and/or counsel entitled to receive electronic notification, or alternatively, on the first business day following the date it was filed by United States first class mail upon the following by regular U.S. Mail, proper postage affixed:

Mr. Terrence Albright
Mrs. Lakiya Yolanda Cunigan
1020 Windsor Drive
Saginaw, TX 76179

Tim Truman
Standing Chapter 13 Trustee
6851 N.E. Loop 820, Suite 300
N. Richland Hills, TX 76180
angelaa@Ch13FTW.com

/s/ Patrick D. West

Patrick D. West, Esq.